

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DTW Marketing Research Group, Inc.,	:	
	:	
Plaintiff,	:	
	:	Civil Action No. 09-6302 (SRC)
v.	:	
	:	
Defendants.	:	
	:	
	:	

ORDER

The Voxx Group, LLC d/b/a Pharma Voxx,
HealthIQ, LLC, XIQ, LLC and John Does 1-
99,

CHESLER, District Judge

This matter comes before the Court upon the Motion to Dismiss Or, In The Alternative To Transfer Venue filed by Defendants (docket item #13). Plaintiff has opposed the motion (docket item #15). This Court has considered the submissions by the parties in connection with these motions, and adjudicates the motions based on the papers submitted and the oral arguments heard on April 13, 2010; and for the reasons discussed at oral argument; and for good cause shown,

IT IS on this 15th day of April, 2010,

ORDERED that, with Plaintiff's consent, Defendant XIQ, LLC., be and hereby is **DISMISSED** from this action without prejudice; and it is further

ORDERED that the motion to dismiss based on personal jurisdiction or, in the

alternative, motion to transfer be and hereby is **DENIED**; and it is further
ORDERED that, with Plaintiff's consent, the breach of contract claims asserted against
Defendant Pharma Voxx be and hereby are **DISMISSED** without prejudice; and it is further
ORDERED that the remaining motions to dismiss, brought pursuant to Federal Rule of
Civil Procedure 12(b)(6), by and hereby are **DENIED**.

s/ Stanley R. Chesler
STANLEY R. CHESLER
United States District Judge